

**MELLINGER KARTZMAN LLC**

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*Attorneys for Steven P. Kartzman, Chapter 7 Trustee*



Order Filed on July 14, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

**In re:**

**NICHOLAS PEZZA,**

**Debtors.**

**UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY**

Case No.: 16-33371 (RG)

Chapter 7

Honorable Rosemary Gambardella

**CONSENT ORDER RESOLVING DISPOSITION OF PROPERTY OF  
THE ESTATE AND PAYMENT OF FUNDS TO THE  
ESTATE IN LIEU OF TURNOVER PURSUANT TO 11 U.S.C. § 542(a)**

The relief set forth on the following pages is hereby **ORDERED**.

**DATED: July 14, 2020**

A handwritten signature in cursive script that reads "Rosemary Gambardella".  
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Honorable Rosemary Gambardella  
United States Bankruptcy Judge

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Debtor: Nicholas Pezza

Case No.: 16-33371 (RG)

Caption: Consent Order Resolving Disposition of Property of the Estate and Payment of Funds to the Estate in Lieu of Turnover Pursuant to 11 U.S.C. § 542(a)

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THIS MATTER having been brought before the Court by Steven P. Kartzman, the Court-appointed Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger Kartzman LLC, on application for the entry of a Consent Order Resolving Disposition of Property of the Estate and Payment of Funds to the Estate in Lieu of Turnover Pursuant to 11 U.S.C. § 542(a), and the Trustee and the debtor, Nicholas Pezza (the “Debtor”) having agreed to amicably resolve the issues on the terms set forth herein, as appears from the signatures of counsel and the Debtor affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. The Debtor shall to pay to the Trustee the sum of \$9,566.75 (the “Settlement Amount”), to be paid as follows:

a. \$1,594.46 per month beginning with June 1, 2020, and continuing on the first of each month for a total of six (6) months (the “Monthly Payments”).

2. To the extent that the Debtor fails to pay the required Settlement Amount, the Trustee shall file a certification of default with the Court on notice to the Debtor. Should the Debtor fail to cure the default within ten (10) days of the filing of a certification of default, the Court shall:

a. Enter a non-dischargeable judgment against the Debtor in an amount 1.5 times the Settlement Amount, less payments made to the Trustee (the “Judgment”); and

b. Enter an order revoking the Debtor’s discharge pursuant to 11 U.S.C. § 727(d).

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Debtor: Nicholas Pezza

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3. The Debtor shall not have and/or assert any exemption claims as to any funds received by the estate pursuant to this Consent Order.

4. The parties hereto shall execute any and all documents and pleadings reasonably necessary to implement all of the foregoing provisions.

5. The terms of this Consent Order are subject to the Court's approval and the issuance of a Notice of Settlement (the "Notice") and the following:

- (a) If no objection to the Notice is filed, the issuance and docketing of a Certification of No Objection by the Clerk of the Bankruptcy Court; or
- (b) If any objection to the Notice is filed, the overruling of any such objection by this Court.

In the event that an objection to the settlement is filed and sustained, the parties shall be restored to their pre-settlement positions.

6. The parties, and anyone who succeeds to their rights and responsibilities hereunder, including their successors and/or assigns, are bound by this Consent Order. This Consent Order is made for the benefit of the parties and all who succeed to their rights and responsibilities.

7. The Bankruptcy Court shall retain exclusive jurisdiction to adjudicate all matters arising under or in connection with this Consent Order.

8. A copy of this Order shall be served on all interested parties within five (5) days from the date of entry.

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Debtor: Nicholas Pezza

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*The undersigned hereby consent to  
the form and entry of the within Order:*

MELLINGER KARTZMAN LLC  
*Attorneys for Trustee*

DONALD BONOMO, ESQ.  
*Attorneys for Debtor*

By: /s/ Judah B. Loewenstein  
JUDAH B. LOEWENSTEIN, ESQ.

By: /s/ Donald T. Bonomo  
DONALD T. BONOMO, ESQ.

Dated: May 31, 2020

Dated: May 31, 2020

By: /s/ Nicholas Pezza  
NICHOLAS PEZZA, DEBTOR

Dated: May 31, 2020